



UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

RODOLFO TECOCOATZI-ORTIZ, *on behalf
of themselves, and on behalf others similarly
situated*, et al.,

Plaintiffs,

-against-

JUST SALAD LLC, *doing business as*, JUST
SALAD, et al.,

Defendants.

18-CV-7342 (JGK) (BCM)

ORDER

BARBARA MOSES, United States Magistrate Judge.

The above-referenced action has been referred to Magistrate Judge Barbara Moses for general pretrial management, including scheduling, discovery, non-dispositive pretrial motions, and settlement, pursuant to 28 U.S.C. § 636(b)(1)(A). All pretrial motions and applications, including those related to scheduling and discovery (but excluding motions to dismiss or for judgment on the pleadings, for injunctive relief, for summary judgment, or for class certification under Fed. R. Civ. P. 23) must be made to Judge Moses and in compliance with this Court's Individual Practices in Civil Cases, available on the Court's website at <https://nysd.uscourts.gov/hon-barbara-moses>.

The Court has received and reviewed plaintiffs' letter dated April 26, 2020 (Dkt. No. 81), seeking a court conference, pursuant to Local Civil Rule 37.2, to "address the issue" of "defendants' responses to plaintiffs' first set of interrogatories and first demand for document production." Judge Moses will hold a telephonic conference on that dispute on **May 13, 2020, at 10:00 a.m.** At that time, the parties shall call into the below teleconference:

Call in number: 888-557-8511
Access Code: 7746387

No later than **April 30, 2020**, plaintiffs shall file a supplemental letter containing the information required by § 2(b) of Judge Moses's Individual Practices in Civil Cases and attaching a copy of their "first set of interrogatories and first demand for document production." No later than **May 5, 2020**, defendants shall file their responding letter. Plaintiffs' reply, if any, shall be filed no later than **May 8, 2020**. All letter-briefs shall comply with § 1(d) of Judge Moses's Individual Practices, except that, in light of the COVID-19 national emergency, no paper courtesy copies are required.

PLEASE BE AWARE THAT, FOR THE DURATION OF THE COVID-19 NATIONAL EMERGENCY, UNLESS OTHERWISE ORDERED BY THE COURT:

Conferences and Hearings. All court conferences and hearings will be conducted by teleconference. Please treat the teleconference as you would treat a public court appearance. If the Court is running late and a conference or hearing in another matter is ongoing, please be silent (mute your line) until your case is called.

Remote Depositions. Pursuant to Fed. R. Civ. P. 30(b)(3) and (b)(4), all depositions in this action may be taken via telephone, videoconference, or other remote means, and may be recorded by any reliable audio or audiovisual means. This Order does not dispense with the requirements set forth in Fed. R. Civ. P. 30(b)(5), including the requirement that, unless the parties stipulate otherwise, the deposition be "conducted before an officer appointed or designated under Rule 28," and that the deponent be placed under oath by that officer. For avoidance of doubt, a deposition will be deemed to have been conducted "before" an officer so long as that officer attends the deposition via the same remote means (*e.g.*, telephone conference call or video conference) used to connect all other remote participants, and so long as all participants (including the officer) can clearly hear and be heard by all other participants.

Dated: New York, New York
April 28, 2020

SO ORDERED.



BARBARA MOSES
United States Magistrate Judge